

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

filed
11/14/2005
CR

UNITED STATES OF AMERICA)

v.)

LOWELL T. MANNING,)
Defendant)

CRIMINAL ACTION
NO. 05-1401-CBS

PROPOSED VOIR DIRE QUESTIONS

COMES NOW THE GOVERNMENT, and respectfully represents:

1. On April 22, 2005, a written complaint was filed against defendant, charging the defendant with a second offense of driving under the influence (DUI) of alcohol in accordance with Ch. 90 § 24 M.G.L.A. as assimilated by 18 U.S.C. § 13. The penalty for this offense has been limited to one year confinement. On that same day, the Government also charged the defendant with operating a motor vehicle with a suspended or revoked license in accordance with Ch. 90 § 23 M.G.L.A. as assimilated by 18 U.S.C. § 13 and with possession of an open alcoholic container in a motor vehicle as assimilated by 18 U.S.C. § 13.

2. On August 4, 2005, the defendant was arraigned and pleaded not guilty to all charges. On 8 August 2005, this Honorable Court ordered a jury trial in the matter for November 14, 2005.

3. On November 14, 2005, the Government respectfully requests that the Court ask the following questions to each potential juror:

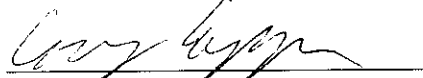
- a. Are you related to or know the defendant or any of the attorneys in this case?
- b. Do you think it is wrong to be under the influence of alcohol and then operate a motor vehicle?
- c. Have you or anybody among your family or friends ever been pulled over for drinking and driving?
(1) If so, would this affect your ability to be impartial?
- d. Have you or anybody among your family or friends ever been involved in an accident with somebody who was thought to be driving under the influence of alcohol?

- e. Have you or anybody among your immediate family ever held any job in a law enforcement agency?
- f. Have you ever served on a case charging the Defendant with operating while under the influence of an intoxicating liquor before?

(1) If so, what was the verdict in the case?

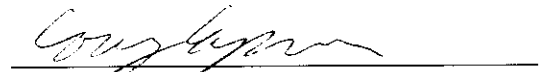
- g. Have you or anybody among your family or friends ever serve in the U.S. military?
- h. Do you feel that you can be completely impartial in this case?

Respectfully submitted,



COREY CAPPELLONI
SPECIAL ASSISTANT U.S. ATTORNEY

I hereby certify that on November 9, 2005 I sent a copy of this motion via fax to Richard M. Welsh, the defendant's attorney of record, at fax #508-839-7715.



COREY CAPPELLONI
SPECIAL ASSISTANT U.S. ATTORNEY